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RUEHPE/AMEMBASSY LIMA PRIORITY 5328  
RUEHQT/AMEMBASSY QUITO PRIORITY 5924  
RUEKJCS/SECDEF WASHDC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY  
RHEHOND/DIRONDCP WASHDC PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
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C O N F I D E N T I A L BOGOTA 006020

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E.O. 12958: DECL: 08/16/2017  
TAGS: [KJUS](#) [PGOV](#) [PREL](#) [PTER](#) [CO](#)  
SUBJECT: URIBE PROPOSES BILL TO CHARGE PARAS FOR CRIMINAL  
CONSPIRACY INSTEAD OF SEDITION

REF: BOGOTA 5530

Classified By: Political Counselor John S. Creamer. Reason: 1.4(b,d)

[11](#). (U) On August 15, Interior and Justice Minister Carlos Holguin officially presented a bill in Congress that would charge the 18,000 demobilized paramilitaries--who have been in legal limbo since the July 11 Supreme Court that para crimes were common, not political offenses--with "simple conspiracy." This would allow the Prosecutor General's Office to exercise its discretion to dismiss the cases, thereby enabling these rank and file paramilitaries to be eligible for demobilization under Law 782. The bill excludes paramilitary leaders who have committed serious human rights crimes, legislators who cooperated with the AUC, or drug traffickers.

[12](#). (U) The announcement comes after weeks of debate among the executive, judicial, and legislative branches following the Supreme Court's July 11 decision. The ruling removed the legal basis for pardoning the 18,000 for their membership in the AUC. President Uribe submitted the bill for urgent consideration by Congress, meaning a vote should occur within two months. By opting for the 'simple conspiracy approach, the GOC defused its politically costly clash with the Supreme Court over what constitutes a political crime.

[13](#). (C) Legislative Consultant Cesar Barrera Avila told us two months are sufficient time for Congress to debate the bill. He predicted the GOC will easily get the majority vote needed to pass the measure. Juan Carlos Garzon, head analyst for the OAS, agreed this was a timely move that would preserve the legal framework for the paramilitary peace process.  
Nichols